

# HOUSE . . . . . No. 2842

By Mr. Hall of Westford, petition of Geoffrey D. Hall and A. Joseph DeNucci relative to food stamp coupons. Children and Families.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO FOOD STAMP COUPONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 18 of the General Laws is hereby amended by inserting  
2 after section 5H the following new section:—

3 Section 5I. (a) Whoever knowingly uses, acquires, alters, or  
4 transfers food stamp coupons, authorizations to participate in the  
5 food stamp program, food stamp electronic access devices, or  
6 food stamp benefits in any other form or medium, in any manner  
7 not authorized by law shall be guilty of an offense under this  
8 section. If the value of the food stamp benefits illegally used,  
9 acquired, altered or transferred exceeds \$500, violation of this  
10 section shall be punished by imprisonment in the state prison for  
11 not more than 5 years, or by a fine of not more than \$25,000 and  
12 imprisonment in jail for not more than two years. If the value of  
13 the food stamp benefits illegally used, acquired, altered or trans-  
14 ferred does not exceed \$500, violation of this section shall be pun-  
15 ished by imprisonment in jail for not more than one year or by a  
16 fine of not more than \$300.

17 (b) Whoever knowingly possesses food stamp coupons, autho-  
18 rizations to participate in the food stamp program, food stamp  
19 electronic access devices, or food stamp benefits in any other  
20 form or medium, when not authorized by law to possess them,  
21 knowingly redeems food stamp benefits when not authorized to  
22 redeem them, or knowingly redeems food stamp benefits for pur-  
23 poses not authorized by law, shall be guilty of an offense under  
24 this section.

25 (c) Whoever knowingly possesses blank authorizations to par-  
26 ticipate in the food stamp program, blank food stamp electronic  
27 access devices or any other form or medium by which food stamp  
28 benefits are provided, when not authorized by law to possess  
29 them, shall be guilty of an offense under this section.

30 (d) When food stamp coupons, authorizations to participate,  
31 food stamp electronic access devices, or food stamp benefits in  
32 any other form or medium are obtained in violation of this section  
33 pursuant to one scheme or continuing course of conduct, whether  
34 from the same or several sources, the conduct may be considered  
35 as one offense and the values aggregated in determining the  
36 amount of the offense. Violations of this section involving blank  
37 or altered food stamp coupons, authorizations to participate, food  
38 stamp electronic access devices, or other form or media used to  
39 provide food stamp benefits shall give rise to a rebuttable pre-  
40 sumption that the offense exceeds \$500 in value of food stamp  
41 benefits for the purpose of determining the severity of the offense.